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9 IN THE UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 MARCIANO PLATA, et al.,
13

14 Plaintiffs,
15

16 v.
17

ARNOLD SCHWARZENEGGER, et al.,
18

Defendants.

No. C-01-1351 T.E.H.

STIPULATION AND ORDER FOR
COLLECTION OF UNDISPUTED
ATTORNEYS' FEES AND COSTS
FOR FOURTH QUARTER OF 2011

19 On December 17, 2002, this Court established a procedure by which plaintiffs are
20 to collect attorneys' fees and costs incurred in connection with the Stipulation for
21 Injunctive Relief. This procedure requires plaintiffs' counsel to submit to defendants a
22 quarterly statement of fees incurred in monitoring work, and permits defendants thirty (30)
23 days from the receipt of plaintiffs' statement to notify plaintiffs of any disputed items.
24 After the parties meet and confer on any of defendant's objections, counsel shall then
25 prepare a stipulated order for payment of the fees not subject to defendants' objections.
26 The Order also states that defendants shall have thirty (30) days from the entry of the order
27 to pay the undisputed fees and that interest on any undisputed fees will run from the thirty-
28

1 first day after the Order is filed, accruing at the rate provided by 28 U.S.C. § 1961.

2 Pursuant to this procedure, plaintiffs' counsel served their fourth quarter billing
3 statement for the period October 1, 2011 through December 31, 2011 on May 22, 2012.

4 Following a meet and confer, the parties agreed to payment of \$264,019 in undisputed fees
5 and costs billed by plaintiffs' counsel. This stipulation fully settles all costs and fees for
6 the fourth quarter billing 2011.

7 WHEREFORE, defendants agree to pay plaintiffs' counsel \$264,019 within 30
8 days of the signing of this Order. On the 31st day following the entry of this Order, interest
9 on any unpaid amount will begin to accrue at the rate provided by 28 U.S.C. § 1961 (i.e.,
10 the weekly average 1 year constant maturity Treasury yield for the calendar week
11 preceding the date of the Order.)

12 **AGREED TO BY THE PARTIES:**

13 Date: August 21, 2012

14 /s/
15 Alison Hardy
Attorney for Plaintiffs

16 Date: September 11, 2012

17 /s/
18 Kyle A. Lewis
Supervising Deputy Attorney General
Attorney for Defendants

19
20 I, Alison Hardy, attest that Kyle Lewis signed this document on September 11,
21 2012.

22 **IT IS SO ORDERED.**

23 Date: 09/12, 2012

